5-638563 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK MAERSK LINE.

CIV 8756

Plaintiff.

against -

USCA-SEABELL, INC.,

Defendant.

CIVIL COMPLAINT IN ADMIRALT¥⊌

Pfaintiff MAERSK LINE, by its attorneys, LAW OFFICES OF ALBERT J. AVALLONE & ASSOCIATES, as and for its Complaint against defendant USCA-SEABELL, INC., in personam, in a cause of action civil and maritime, alleges upon information and belief:

- This is an admiralty and maritime claim within the meaning of Rule. 9(h) of the Federal Rules of Civil Procedure, the Ocean Shipping Reform Act of 1999, 46 U.S.C., App. Section 1701, et seq., and Paragraph 26 of the Bills of Lading.
- At all times hereinafter mentioned, plaintiff MAERSK LINE was and still is a corporation duly organized and existing under the laws of the State of Delaware with offices and a place of business at 6000 Carnegie Blvd.. Charlotte. NC 28209.
- Upon Information and belief and at all times hereinafter mentioned. defendant USCA-SEABELL, INC. was and still is a corporation organized and existing under the laws of the State of New York, with offices and a place of businesss at 50 Harrison St., Hoboken, NJ 07030.
- From on or about December 1, 2006 to the present, defendant. delivered cargoes to plaintiff at various ports for the purpose of having the cargoes carried to various ports of destination, there to be delivered to the consignees and/or their agents, in consideration of payment by defendant to plaintiff of ocean freight and related charges, calculated pursuant to a Service Contract between the parties. and/or plaintiff's tariff.

- Thereafter, defendant made shipments with plaintiff, and incurred charges totalling \$305,975.80.
- Defendant has failed to remit the payment due of \$305,975.80. although duly demanded (Exhibit A).
- All shipments were properly carried by plaintiff, or are in the process of being carried by plaintiff.
- 8. Plaintiff has performed and is performing all acts required to be performed by plaintiff.
- Defendant has failed and refused and continues to fail and refuse to remit payment of \$305,975.80, although duly demanded.
- By reason of the foregoing, plaintiff has sustained damages in the amount of \$305,975.80 which, although duly demanded, have not been paid.
- For judgment in the amount of plaintiff's damages, together with interest thereon, costs, disbursements and a reasonable attorney's fee.
- That process in due form of law according to the practice of this Court in cases of admiralty and maritime jurisdiction may issue against the defendant citing it to appear and answer all the singular matters aforesaid.
- That plaintiff have such other and further relief in the premises as in law and justice it may be entitled to receive.

Dated: New York, New York October 10, 2007

> LAW OFFICES OF ALBERT J. AVALLONE & ASSOCIATES

By

WHEREFORE, plaintiff prays:

Avallone - AA1679

Attorneys for Plaintiff

551 Fifth Avenue, Suite 1625

New York, NY 10176

(212) 696-1760

MAERSK LINE

6098 Camegie Boulevard, Charlotta, NC 28209

Customer Name: Customer Namber:	33100231448	SIT INC				Group: P Statement of Account as of: 10/3/2007 01:01 PM	Group: P	
Transaction Number	Number Of Sumber	Une Date	Original Amount	Amount Faid	Oursemding 1	bas Shipper Ref.	Forwarder Ref	1000
U138485903	854873098	772272007	\$2,146,00	20.00	\$2,146.00	72 OE604827	OE004827	V -0
U138485904	854872968	7002/22/7	\$2,133.00	20.00	\$2,133.00	72 OE004819	OE004819	875
U138493949	523506969	7/22/2007	\$4,090.00	20.00	\$4,090.00	72 OE004984		6-SI
U138460811	523523177	7/22/2007	10,000,53	\$0.00	10,999,01	72 OE004812	OE004812	HS
U138480831	523486745	7/22/2007	\$4,090.00	20.00	\$4,090.00	72 OE004945		Do
UI38482770	523506974	7/22/2007	\$4,090.00	\$0.00	\$4,090:00	72 OE004946	OE004946	cum
U138566011	523447227	7/23/2007	\$4,579.18	\$4,135,00	\$444.18	71 23154 WS		nent
U138614819	854831354	7/26/2007	\$4,015.00	30.00	\$4,015.00	68 OE004787	OE004787	1
CNC8500779	523389944	7/30/2007	\$4,579.15	\$4,135.00	\$444.15	64 23154 WS		File
U138592000	854951528	7/30/2007	\$4,225.00	\$0.00	\$4,225,00	64 OE004937	OE004937	ed 10
U138512611	854952229	7/30/2007	\$2,398.00	30.00	\$2,398.00	64 OE004926	OE004926.	0/10
U138533849	854876448	8/5/2007	81,909,18	\$0.00	\$3,999.88	58 OE004888	OE004888	/200
X enzagein	523695209	8/6/2007	\$4,891,00	20,00	\$4,891.00	57 OE005050)7
U138548396	854960533	8/6/2007	\$2,863.00	\$0,00	\$2,863.00	57 OE005040	OE005040	Pag
	523624676	8/8/2007	\$14,677.01	\$13,240.00	\$1,437,01	55 LC 2CC009-2703252	23	ge 3
U138549703	523655823	\$78/3007	\$11,741.61	\$10,592.00	\$1,149,61	55 LC ZLC009-2703355	120	of 8
U138788139	523616665	8/9/2007	\$17,100.73	\$14,943.00	\$2,157.73	\$4 6274		
A 11.1958EIII	A RANDER	8/9/2007	\$4,015.00	20.00	\$4,015.00	54 OE064786	OE004786	
U138800767	- 854947061	8/13/2007	\$5,585,00	\$0.00	\$5,585.00	50:OE004890	OF004890	

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MAERSK LINE O00 Camagia Boulevard, Charlotte, NC 28209

Customer Number:	33100231448	ELL INC				9	Group: P
Transaction Number avoire Number Rt. Number	Northber III, Northber	Due-Date	Original Amount	picamining	Outstanding Days	Days Shipper Ref	Shipper Ref Account to 56 10/5/2007 01:01 PM
U138577910	854876446	8/13/2007	11,998,31	50.00	53,998.31 SO	SO OFDIVERST	Connection
U138663986	\$23737025	8/13/2007	\$2,436,00	20:00	\$2,436.00	50 CE005058	100101010
UL38584544	523695186	8/13/2467	\$2,398.00	\$0.00	\$2,398.00	\$0 OE003051	
UI38584545	523695137	8/13/2007	\$4,225.00	\$0.00	\$4,225.00	50 OE005013	
UI38677074	523556620	8/17/2007	\$3,726.00	90'05	\$3,726.00	46 23154 WS	
U[3861800]	854964089	8/19/2007	\$3,998.53	\$0,00	\$3,998,55	44 OE005022	OE005022
U138594602	K54952210	4002/61/8	\$4,090.00	\$0.00	\$4,090.00	44 OE004925	OE004925
U138589452	523616964	8/19/2007	54,405.00	\$0.00	\$4,405.00	44 23154 WS	
U138596866	523564896	\$219/2007	\$5,871,00	\$5,115.00	\$756.00	44 LUA4647	
U138680449	523675426	8/20/2007	\$3,315.70	20.00	\$3,315.70	43 23154 WS	
U138625868	854920217	8/21/2007	54,015.00	\$0.00	\$4,015.00	40 OE004947	OE004947
U138626220	523737172	87372007	\$4,700.00	\$0.00	\$4,700.00	40 23154 WS	i i
UI38755569	523725516	8/23/2007	\$5,293.00	\$3,945.00	\$1,348.00	40 23154 WS	
U138728945	523776089	8/25/2007	54,630.00	\$4,530,00	\$100.00	38 23154 WS	
U138625754	523615240	8/26/2007	\$2,231.00	20.00	\$2,231.00	3723154 WS	
U138644310	523643763	8/30/2007	53,843.24	\$0.00	\$3,843.24	33 23154 WS	
U138700802	523734689	8/30/2007	\$4,570,00	\$0.00	\$4,570.00	33 23154 WS	
U138797399	\$2378608\$	97272007	\$4,225.00	\$0.00	\$4,225.00	30 OE005454	
U138786771	523830714	9222007	\$2,411.00	\$0.00	\$2,411.00	30 OFINGETY	

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MAERSK LINE

6000 Carnegie Bouleverd, Charlotte, NC 28299

Customer Name: Customer Number:	USCA SEABELL INC	IT INC				9	Group: P	Jase
Transaction Number	n.Number. III. Number	Due Date	Original Amount	Amount Paid	Outstanding Days	Days Shipper Ref	Shipper Ref Forwarder Ref	
U138767814	\$23899288	9/2/2007	\$2,511.00	\$0:00	\$2,511.00	30 OE005283		1
U138798741	854957138	972/2007	\$4,090.00	80,00	\$4,090.00	30 OE005067	OE005067	
U138680434	523657635	974/2007	\$4,545.00	\$0.00	\$4,545.00	28 23154 WS	23154 WS	
1138710798	523686782	9/4/2007	\$4,005.00	50.00	54,005.00	28 23154 WS		
U138657986	523645584	9/4/2007	\$3,158.00	\$0.00	\$3,158.00	28 23154 WS		
Ul38693346	523746153	9/5/2007.	\$8,804.10	20.00	\$8,804.10	27 6157		
U138734715	\$23746175	7002/2/0	\$15,496.97	20.00	\$15,496.97	27 6377	6377	
U138739622	855025585	9/5/2007	\$4,185.00	\$0.00	\$4,185.00	27 OE005164	OE005164	
U138688738	523583907	9/8/2007	\$5,036.00	\$0.00	\$5,036.00	24 23154 WS	A PARTICION STREET	
U138732382	523830735	9/8/2007	\$2,398,00	\$0.00	\$2,398.00	24 OE005222		
UI38708973	523861062	9/9/2007	\$2,498.00	\$0.00	\$2,498.00	23 OE005323		, .
U138732364	523861061	9/9/2007	\$2,498.00	\$0.00	\$2,498,00	23 OE005357		0, = 0
U138701975	523534439	4/4/2007	54,405,00	\$0.00	54,405.00	23 23154 WS		
U138683333	523555504	9/9/2007	53,715,00	\$0.00	\$3,715.00	23 23154 WS	23154 WS	
U138756241	523898293	499/2007	\$5,081.00	\$0.00	\$5,081.00	23 OE005106	700000000000000000000000000000000000000	age .
U138707818	523899286	9/9/2007	\$2,498.00	\$0.00	\$2,498.00	23 OE005322		
U138747622	533810830	9/9/2007	\$4,665.00	20.00	\$4,665.00	23 OE005258		•
U138702367	855103480	9/9/2007	\$4,425,00	\$0.00	\$4,425.00	23 OE005206	OE005206	
U138702333	854845445	0/9/2007	\$4,225.00	\$0.00	\$4,225.00	23 OE004793	OED04793	

MAERSK LINE

	Customer Name: Customer Number:	33100231448	TUNC				Statement of Account	Group: P	ase
\$25964722 \$1007007 \$1,266.00 \$0.00 \$1,246.00 \$2,246.00 \$2,1154.WS \$25964724 \$1122007 \$1,215.00 \$0.00 \$4,015.00 \$0.000 \$2,2114.WS \$0.0005022 \$25362601 \$1,215.00 \$0.00 \$1,515.00 \$0.00 \$2,015.00 \$0.0005042 \$0.0005042 \$25362601 \$1,22007 \$2,515.00 \$0.00 \$1,515.00 \$0.0005042 \$0.0005142 \$0.0005042 \$25377574 \$1,12007 \$2,519.00 \$0.00 \$1,215.00 \$0.0005442	Transaction ferrice Number	Number EL Namber	Due Date	Original Amount	Amount-Paid	Outstanding	Days Shipper Ref	Formarder Ref.	1:07
\$ 534967641 \$17127007 \$4,015.00 \$24,015.00 \$20,000,005162 ODE005162 ODE005162 \$ 523745239 \$11427007 \$5,515.00 \$0.00 \$3,515.00 \$0.00 \$13,14 WS \$13144 WS \$ 523745234 \$11622007 \$2,515.00 \$0.00 \$10,200 \$13,14 WS \$13144 WS \$ 52375246 \$11622007 \$2,415.00 \$0.00 \$1,134 WS \$13144 WS \$13144 WS \$ 52377574 \$1170007 \$1,135.00 \$0.00 \$1,134 WS \$13144 WS \$13144 WS \$ 52377574 \$1170007 \$1,135.00 \$0.00 \$1,134 WS \$13144 WS \$13144 WS \$ 52387471 \$1170007 \$1,137.00 \$0.00 \$1,13144 WS \$13144 WS \$13144 WS \$ 52387471 \$1170007 \$1,131.00 \$0.00 \$1,41100 \$13144 WS \$13144 WS \$ 52387714 \$172007 \$4,421.00 \$0.00 \$4,431.00 \$13144 WS \$13144 WS \$ 52307142 \$1,241.00 \$0.00 \$4,431.00 \$13144 WS \$13144 WS	U138700172	523694722	9/10/2007	\$3,266.00	\$0.00	\$3,256.00	22 23154 WS	THE PERSON NAMED IN	-cv
835024601 97122007 \$3,515.00 \$3,515.00 \$20005165 COE005165 825743239 971622007 \$5,083.00 \$3,083.00 \$1,515.00 \$23154.WS \$23154.	U138734293	854967641	7002/21/6	\$4,015.00	\$0.00	\$4,015.00	20 OE005012	OE005012	-087
523745349 91642007 55,083.00 55,083.00 16,23154 WS 23154 WS 52375243246 91102007 \$2,479.00 \$2,479.00 16 0E005342 0E005342 523875754 91172007 \$3,138.00 \$0,00 \$3,138.00 15 21154 WS 21154 WS 523875754 91172007 \$3,138.00 \$0,00 \$3,138.00 \$1154 WS 21154 WS 523875754 91172007 \$4,420.00 \$0.00 \$4,426.00 \$20,00 \$24,426.00 \$20,00 \$13874155 9722007 \$4,260.00 \$0.00 \$4,436.00 \$23997155 \$21997155 \$23077191 97247007 \$4,540.00 \$0.00 \$4,436.00 \$24,540.00 <	U138704867	855025601	9/12/2007	\$3,515,00	\$0.00	\$3,515.00	20 OE005165	OE005165	56-5
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523,873754 9/17/2007 \$1,138,00 \$0,00 \$1,158,00 \$15,154,WS 21154,WS 523,839471 9/17/2007 \$5,189,40 \$0,00 \$9,180,40 \$15,21154,WS 21154,WS 523,87523 9/12/2007 \$3,611.00 \$0,00 \$4,426.00 \$0,2037155 \$139,7155 523,87733 9/12/2007 \$4,426.00 \$0,00 \$4,426.00 \$20,20 \$15,154,WS 524,014.09 9/12/2007 \$4,510.00 \$0,00 \$4,51.00 \$12,154,WS \$15,154,WS 523927142 9/12/2007 \$4,51.00 \$0,00 \$4,51.00 \$2154,WS \$15,44.WS 523927600 9/12/2007 \$4,51.00 \$0,00 \$4,51.00 \$2154,WS \$15,44.WS 523927600 9/12/2007 \$4,51.00 \$6,166.00 \$6,166.00 \$4,51.00 \$2154,WS 5239406878 9/12/2007 \$4,51.00 \$6,166.00 \$4,51.00 \$1,117.00 \$2154,WS 523998327 10/1/2007 \$4,31.00 \$1,431.00 \$1,431.00 \$1,431.00 \$1,431.00 <	U138822603	855243246	9/16/2007	\$2,579,00	\$0.00	\$2,579.00	16 OE005342	OE085342	D
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523948078 9429/2007 \$4,371.00 \$0.00 \$4,371.00 3.23154 WS 523898327 10/1/2007 \$3,431.00 \$0.00 \$3,431.00 123154 WS 523898315 10/1/2007 \$3,880.32 \$0.00 \$3,880.32 123154 WS	U138812044	524065556	9/27/2007	\$1,127,00	20.00	\$1,127,00	5.23154 WS		age (
523898327 10/1/2007 53,431.00 50.00 \$3,431.00 123154 W5 523898315 10/1/2007 53,880.32 50.00 \$3,880.32 123154 W5 523970007 10/1/2007 \$3,880.32 50.00 \$3,880.32 123154 W5	U138789806	523948078	9/29/2007	\$4,371.00	20.00	\$4,371.00	3 23154 WS		of of
52389R315 10/1/2007 553,880.32 \$0.00 \$53,880.32 1.23154 WS 523970007 10/1/2007 \$53,880.32 \$0.00 \$53,880.32 1.23154 WS	U138809502	523898327	10/1/2007	\$3,431.00	\$0.00	\$3,431.00	1 23154 WS		8
53,880,32 50,000 53,880,32	U138809529	523898315	10/1/2007	\$3,880.32	\$0.00	\$3,880.32	1 23154 WS	23154 WS	
	U138809691	\$23970007	10/1/2007	\$3,880.12	20.00	\$3,880.32	1 23154 WS		

MAERSK LINE

Customer Name: Customer Number:	USCA SEABELL IN 33100231448	IT INC				5	Group: P
Transaction Number:	Ott. Number	Date Date	Original Amininic	Amount Paid	Outstanding D	y Shipper Ref	Shipper Ref. Forwarder Ref.
1138809718	523970017	10/1/2007	\$4,430,32	\$0.00	\$4,430,32	1	THE RESERVE THE PERSON NAMED IN
U138809728	523969997	10/1/2007	\$3,431.00	20.00	\$5,431.00	1 23154 WS	
U138809620	523960406	10/1/2007	\$4,051.00	\$0.00	\$4,051.00	1 23154 WS	23154 WS
U138810579	523960403	10/1/2007	\$4,051,00	\$0.00	\$4,051.00	1.23154 WS	23154 WS
U138810593	\$23979888	10/1/2007	\$2,782.00	\$0.00	\$2,782.00	1 23154 WS	
2	Group Total:		\$366,057.10	\$60,635,00	Avg. Days \$305,422.10 90.61	раун: 90.63	

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Statement of Account us of: 105/2007 01:01 PM.	STATE OF THE STATE	13 25 24 We	:ntsa	3 OE005477	7.50				New Seabell 10:3:00 as
Breed Work Pass	FISH TO DO	00.WE14	\$350.00	573.70	Avg. Days: \$553.70 77.50				
A Paragraphy		\$10.00 P	\$5,Uh	\$0.00	SD.40				-
	8-4	Account.	\$350.00	\$73.70	\$555.70				
C INC	20000000	1000000	9/22/2007	9/29/2007					
છ∞ા	•	011071071	806500929	523830714	Group Totals				MAE
Customer Numer Customer Naraber:	American Company of the Manager of the Company of t	0.000.000.00	U138812555	UI38786765					10/3/2057 - 51,43 PM